

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

GLENN WINNINGHAM,	)	
Plaintiff,	)	
	)	
v.	)	No. 3:08-CV-1204-G
	)	ECF
THE CROWN, ET AL.,	)	
Defendants.	)	

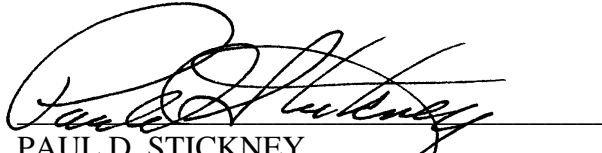
**RECOMMENDATION REGARDING MOTION TO PROCEED**  
**IN FORMA PAUPERIS ON APPEAL**

Before the court is plaintiff's Motion for Leave to Proceed *In Forma Pauperis* on Appeal.

- ( ) The motion for leave to proceed *in forma pauperis* on appeal should be GRANTED. 28 U.S.C. § 1915.
- (X) The motion for leave to proceed *in forma pauperis* on appeal should be DENIED for the following reasons:
- ( ) The plaintiff is not a pauper.
- ( ) The plaintiff has not complied with the requirements of 28 U.S.C. § 1915(a)(1) or (a)(2). See Notice of Deficiency and Order filed on \_\_\_\_.
- (X) Pursuant to 28 U.S.C. § 1915(a)(3) and Fed. R. App. P. 24(a)(3), the court should certify that the appeal is not taken in good faith.

**Although this appeal should be certified as not taken in good faith under 28 U.S.C. § 1915(a)(3) and FED. R. APP. P. 24(a)(3), the plaintiff may challenge this finding by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within 30 days of this order.**

DATE: February 4, 2009

  
PAUL D. STICKNEY  
UNITED STATES MAGISTRATE JUDGE